

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

United States of America
ex rel. Christine Long,

Plaintiff,

v.

Mayo Foundation,

Defendant.

ORDER

Civil No. 02-522 ADM/SRN

Keith E. Dobbins, Esq., Department of Justice, Washington, DC and Robyn A. Millenacker, Esq., Assistant United States Attorney, Minneapolis, MN on behalf of the United States.

John W. Lundquist, Esq., and Lora Esch Mitchell, Esq., Fredrikson & Byron, Minneapolis, MN appeared on behalf of Mayo Foundation.

Mark R. Anfinson, Esq., Anfinson Law Office, Minneapolis, MN, appeared on behalf of Rochester Post-Bulletin.

On July 14, 2005, oral argument was heard before the undersigned judge on Rochester Post Bulletin's ("Newspaper") Motion to Intervene and Unseal the Case [Docket No. 40]. Neither the United States of America ("United States") nor the Mayo Foundation ("Mayo") opposed the Newspaper's Motion to Intervene, which was granted by the Court.

The Court then ordered all of the documents in the file unsealed with the exception of the following portions of documents numbered 20, 21 and 23:¹

- Document No. 20 - Sections 3A and 3B (5 paragraphs), running from page 7 to page 9
- Document No. 21 - Sections 3 and 4 (5 paragraphs), running from page 6 to page 7

¹ All document numbers refer to the numbers corresponding to a particular filing on the case's docket.

- Document No. 23 -
 - 2 paragraphs on page 4
 - 2 paragraphs on page 6 and the footnote on page 6
 - 6 paragraphs, running from page 7 to page 9
 - 1 paragraph, running from page 10 to page 11

The United States did not object to the unsealing of the documents with the aforementioned redactions. It is appropriate to redact portions of documents numbered 20, 21 and 23, per the United States request, to protect the government's investigative techniques.

The Court granted Mayo's request for 24 hours to review the documents, as redacted, and determine whether it would like to move for any of their contents to remain sealed. The United States Attorney's office is to provide the file to Mayo for its review. Unless Mayo objects to the unsealing of any document by 5:00 p.m. on Friday July 15, 2005, the file is to be forwarded to the newspaper's counsel for his review.

Based upon the foregoing, and all the files, records, and proceedings herein, **IT IS HEREBY ORDERED** that:

1. The United States file redacted versions of documents numbered 20, 21, and 23 with the Clerk's Office; and
2. The contents of the entire file, with the exception of Document Nos. 20, 21, and 23, be unsealed. The redacted versions of documents numbered 20, 21, and 23 are to be filed unsealed.

BY THE COURT:

s/Ann D. Montgomery
ANN D. MONTGOMERY
U.S. DISTRICT JUDGE

Dated: July 15, 2005.